IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 19TH OCTOBER 2006 / 27TH ASWINA 1928

Bail Appl..No. 6253 of 2006()

CMP.3758/2006 of MUNI-MAGI.COURT,PONNANI
CRIME NO.122/2006 OF PERUMPADAPPU POLICE STATION.

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PETITIONERS/ACCUSED

ISAK, S/O.MARAKKAR,
PUTHUPONNAKKARAN HOUSE,
AYIROOR AMSOM, PUTHYIRUTTY DESOM,
PALAPPETTY, PONNANI, MALAPPURAM DISTRICT.

BY ADV. SRI.V.A.NAVAS

RESPONDENTS: COMPLAINANT

S.I. OF POLICE,
PERUMPADAPPU POLICE STATION,
REP. THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6253 of 2006

Dated this the 19th October, 2006.

O R D E R

Petitioner is the 3rd accused in Crime No.122/2006 of Perumpadappu Police Station. The petitioner was arrested in connection with Crime No.530/2006 of Kalamassery Police Station, for the offence punishable under Sections 454 and 511 of 380 IPC, read with Section 34 IPC, submits the counsel. The former arrest in this crime was recorded on 26.9.2006. The offence alleged in this crime are under Sections 143, 147, 148, 452, 324, 308, 427 and 326 IPC, read with Section 149 IPC.

2. The prosecution submits that the petitioner is a known criminal of the locality and that he is also accused in number of criminal cases of the area. It is also submitted that there are four cases registered against him in the Aluva Police station. Perumpadappu police station has also registered three cases against him, as Crime Nos.71/2006, 122/2006 and 157/2006, for various offence. The Prosecutor further submitted that the petitioner had not only caused injuries on the injured, but also prevented the injured

being taken to the hospital, as they have attacked the auto rickshaw driver also. Accused further inflicted injuries on one of the sisters of the injured. Another sister gave the above complaint. The prosecution hence submits that if bail is granted to the petitioner, he would indulge in similar activities, as he is the safe tool in the hands of many persons, including politicians to wreak vengeance, and act as an agent for causing injuries on the rival group. Therefore, opposed the application for bail.

3. Considering the arguments advanced by both sides, this is not a fit case to grant bail at this stage. Hence, this application is dismissed.

J.M. JAMES,
JUDGE

nj.